

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REPUBLIC, MISSOURI, AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AN INFRASTRUCTURE DEVELOPMENT AGREEMENT WITH TURNER RESIDENTIAL HOLDING, LLC FOR INFRASTRUCTURE FOR PHASE 1 OF THE OAK HILLS RESIDENTIAL SUBDIVISION**

*WHEREAS*, the City of Republic, Missouri, (herein called the “City” or “Republic”) is a municipal corporation and Charter City located in Greene County, Missouri, being duly created, organized, and existing under the laws of the State of Missouri; and

*WHEREAS*, Turner Residential Holding, LLC (herein called the “Developer”) is the owner and Developer of the land for the Oak Hills residential subdivision (herein called the “Subdivision”) located in the City; and

*WHEREAS*, the City previously approved a similar infrastructure development agreement with the Developer on June 2, 2020, in Ordinance 20-23 regarding this same property which was then called A’Vila. However, due to changes made by the Developer in the infrastructure, a new agreement is required; and

*WHEREAS*, Developer is in the process of developing the Subdivision for residential properties; and

*WHEREAS*, the preliminary plat for the Subdivision requires that certain improvements be made; and

*WHEREAS*, the Developer wishes to defer certain improvements during Phase 1 of the Subdivision by executing an Infrastructure Development Agreement (herein called the “Agreement”) with the City; and

*WHEREAS*, the Agreement will allow Developer to defer the improvements, as outlined in the Agreement, shown on the preliminary plat during Phase 1 by providing the City with the proportional share of the cost for the improvements through a letter of credit or other surety all as outlined in the Agreement; and

*WHEREAS*, the Council finds this Agreement is in the best interest of the City as it will benefit the community through continued economic growth and development.

***NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF REPUBLIC, MISSOURI, AS FOLLOWS:***

- Section 1. The City Administrator, or designee, on behalf of the City, is authorized to enter into an Infrastructure Development Agreement with Turner Residential Holding, LLC, said Agreement to be in substantially the same form as “Attachment 1.”
- Section 2. The City Administrator, or designee, on behalf of the City, is authorized to take the necessary steps to implement this Ordinance.
- Section 3. The whereas clauses are hereby specifically incorporated herein by reference.

Section 4. The provisions of this Ordinance are severable. If any provision hereof is declared invalid, unconstitutional, or unenforceable, such determination shall not affect the validity of the remainder of this Ordinance.


Section 5. This Ordinance shall take effect and be in force from and after its passage as provided by law.

**PASSED AND APPROVED** at a regular meeting of the City Council of the City of Republic, Missouri, this \_\_\_\_\_ day of \_\_\_\_\_ 2021.

\_\_\_\_\_  
Matt Russell, Mayor

Attest:

\_\_\_\_\_  
Laura Burbridge, City Clerk

Approved as to Form:  Digitally signed by Scott Ison  
Date: 2021.01.28 13:44:56 -06'00', Scott Ison, City Attorney

Final Passage and Vote: \_\_\_\_\_